

ACT No. 2007- 452

1 HB123
2 89298-9
3 By Representatives McClammy, Guin, Beasley, Hall, Millican,
4 Laird, Grantland, Robinson (J), White, Letson, Dukes, Schmitz,
5 Irons, Curtis, Todd, Graham, Morrow, Hinshaw, Boyd, Gordon,
6 Robinson (O), Keahey, McCampbell, Thigpen, Boothe, Spicer and
7 Hilliard
8 RFD: Agriculture and Forestry
9 First Read: 06-MAR-07
10 PFD: 03/02/2007



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2 ENROLLED, An Act,

3 To create within the Department of Agriculture and
4 Industries a Center for Alternative Fuels; to authorize the
5 center to act as an information clearinghouse for available
6 federal grant funds; to provide a definition for alternative
7 fuels; to require that alternative fuels sold in Alabama meet
8 certain standards; to provide for the duties of the center; to
9 authorize the department to promulgate rules; to create the
10 Alabama Alternative Fuels Research and Development Fund; to
11 provide an income tax refund check-off for a contribution to
12 the fund; and to provide for the use of moneys paid to the
13 fund.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) The Legislature finds that the
16 interests of the citizens, businesses, and political
17 subdivisions of this state are best served by promoting the
18 development and encouraging the use of alternative fuels as a
19 clean, abundant, reliable, and affordable source of energy.

20 (b)(1) There is established within the Department of
21 Agriculture and Industries, the Center for Alternative Fuels.
22 The commissioner of the department shall appoint a director of
23 the center. The department may employ staff necessary to carry
24 out this act. To the extent possible, the staff shall
25 represent the racial, ethnic, and gender makeup of the state.

1 (2) There is created in the State Treasury an
2 Alabama Alternative Fuels and Research Development Fund which
3 shall receive funds from the income tax check-off program
4 established pursuant to Section 4.

5 (c)(1) For purposes of this act, "alternative fuel"
6 means motor vehicle fuel that is produced from any of the
7 following:

- 8 a. Biofuel as defined in subsection (2)a.
- 9 b. Compressed natural gas.
- 10 c. Liquefied natural gas.
- 11 d. Liquefied petroleum gas.
- 12 e. Electricity.

13 (2)a. The term "biofuel" as used above means motor
14 vehicle fuel that meets all of the following requirements:

- 15 1. Is produced from grain, starch, oilseeds,
16 vegetable, algae, animal, or fish materials including fats,
17 greases and oils, sugarcane, sugar beets, sugar components,
18 tobacco, potatoes, and lignocellulosic or other biomass.
- 19 2. Is used to replace fossil fuel or reduce the
20 quantity of fossil fuel present in a fuel mixture used to
21 operate a motor vehicle.
- 22 3. Meets the most current applicable American
23 Society of Testing and Materials (ASTM) Fuel Specification
24 standard.

1 b. Biofuel includes all of the following: i.
2 Cellulosic biomass biofuels such as ethanol, butanol, diesel,
3 gasoline, and aviation fuel derived from any lignocellulosic,
4 hemicellulosic or cellulosic matter that is available on a
5 renewable or recurring basis, including dedicated energy crops
6 and trees, wood and wood residues, plants, grasses,
7 agriculture residues, and fibers. ii. Waste derived biofuels
8 derived from animal waste, municipal solid waste, and other
9 waste materials. iii. Biodiesel that is a diesel fuel
10 substitute derived from non-petroleum renewable resources and
11 any blending components derived from non-petroleum renewable
12 resources, provided that only the renewable fuel portion of
13 any such blending component shall be considered part of the
14 applicable volume.

15 (d) All alternative fuels sold in Alabama shall meet
16 the appropriate American Society of Testing and Materials
17 standards (ASTM) for that particular fuel.

18 Section 2. The responsibilities of the center shall
19 be as follows:

20 (1) To assess the current status and development of
21 sources of alternative fuels as defined in subsection (c) of
22 this section.

23 (2) To act as an information center for alternative
24 fuels.

(3) To create an information clearinghouse for available federal grant funds and to provide information regarding these grants to individuals, businesses, and political subdivisions interested in developing sources of alternative fuels.

(4) To establish criteria for matching potential grant applicants with available grants.

(5) To promote alternative fuels as a viable energy source in this state.

(6) To ensure that alternative fuels sold in Alabama meet American Society of Testing and Materials standards.

(7) To receive and expend funds paid to the Alternative Fuel Research and Development Fund through the income tax check-off program created in Section 4 and to expend and disburse the funds for the purposes in Section 4.

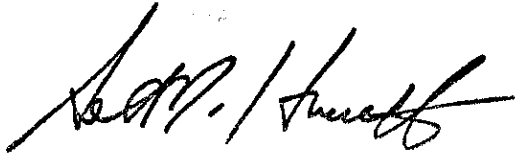
Section 3. The department may promulgate rules necessary for the efficient operation of the center.

Section 4. Pursuant to subsection (a) of Section 40-18-140, Code of Alabama 1975, each individual taxpayer required to file a state tax return desiring to contribute to the Alternative Fuel Research and Development Fund, may designate, by placing an "X" in the appropriate box on the state income tax form, that the contribution be made to the fund. Contributions to the fund shall be used by the center to promote, develop, and raise awareness about alternative fuels.

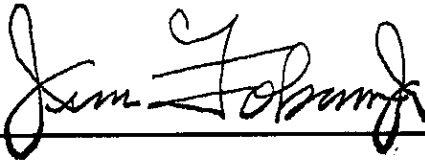
1 Section 5. All laws or parts of laws which conflict
2 with this act are repealed.

3 Section 6. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives



President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 29-MAR-07, as amended.

Greg Pappas
Clerk

Senate

31-MAY-07

Passed

APPROVED

June 14, 2007

TIME

2:04 p.m.



GOVERNOR

Alabama Secretary Of State

Act Num....: 2007-452

Bill Num...: H-123